

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

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THE ESTATE OF BIANCA DEVINS

Plaintiff,

v.

ONEIDA COUNTY, ONEIDA COUNTY
DISTRICT ATTORNEY'S OFFICE, SCOTT
D. McNAMARA, JOHN DOES 1-20

Defendants.

**ORDER TO SHOW CAUSE
FOR FRCP 65(a)
PRELIMINARY INJUNCTION
AND EMERGENCY FRCP 65(b)
TEMPORARY RESTRAINING
ORDER**

--CV-- ()

Case No.: 6:21-CV-0802 (GTS/ATB)

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Upon the Declaration the Declaration of Carrie Goldberg, Esq. in Support of Plaintiff's Order to Show Cause of Law in Support of the Order to Show Cause for Preliminary Injunction and Temporary Restraining Order affirmed on July 14, 2021 and all exhibits attached thereto, and upon the Declaration of Kimberly Devins in Support of Order to Show Cause for FRCP Rule 65 Ex Parte Restraining Order and Preliminary Injunction, sworn to on July 14, 2021, and upon the Memorandum of Law in Support of the Order to Show Cause, and upon the July 15, 2021 letter of Carrie Goldberg, counsel for Plaintiff requesting accommodations be made for a remote hearing for the instant relief, and upon the Complaint hereto attached it is hereby:

ORDERED, that the above named **defendant(s)** show cause before this Court, United States District Court, Northern District of New York, Alexander Pirnie Federal Building and U.S. Courthouse, 10 Broad Street, Utica, NY 13501 for a remote online hearing on _____, at _____ in the _____ am/pm thereof, or as soon thereafter as counsel may be heard, as to why a preliminary injunction should not be issued pursuant to Rule 65(a) of the Federal Rules of Civil Procedure Injunctions and Restraining Orders and 18 U.S.C. 2252A(f)(2)(A) and 18 U.S.C. 2255(a) that:

1. Enjoins Defendants from disseminating video content, including screenshots, depicting Bianca Devins being murdered, having sex, nude, or in a state of undress;
2. Enjoins Defendants from disseminating the contents from Bianca's cellular phone seized from the crime scene of her murder and contents obtained from warrants and subpoena into her social media accounts;
3. Requires Defendants to submit to Plaintiff and the Court an accounting of all entities with whom they have shared content described above in (1) and (2) and a comprehensive description of content that was shared;
4. Requires Defendants to provide proof to Plaintiff and the Court of all efforts to secure content described above in (1) and (2) that's already been distributed; and

Good Cause having been shown that Plaintiff will suffer irreparable injury from the murder, sex, and nude content of 17 year old murder victim Bianca Devins it is hereby

ORDERED, that pursuant to FRCP 65(b), 18 U.S.C. 2252A(f)(2)(A) and 18 U.S.C. 2255(a), Defendants are restrained until a hearing can be had from (1) disseminating video content, including screenshots, depicting Bianca Devins being murdered, having sex, or in a state of undress; (2) disseminating content obtained from Bianca's cellular phone or social media or email accounts; and shall take immediate action to contact all individuals and entities to who they caused content described in (1) and (2) to be disseminated to ensure that content was not further disseminated by those recipients and will not be; and it is further

ORDERED, that service of a copy of this order, together with the papers upon which it is granted, be served upon the defendant(s) or (their) attorney by facsimile, email or mail on or before

2021 by _____ o'clock am/pm and that such service be deemed good

and sufficient.

Dated: _____, New York
_____, 2021 at ___ o'clock am/pm

United States District Judge

To:

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800 Park Avenue
Utica, New York 13501

Oneida County District Attorney
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